

Please type a plus sign (+) inside this box →

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

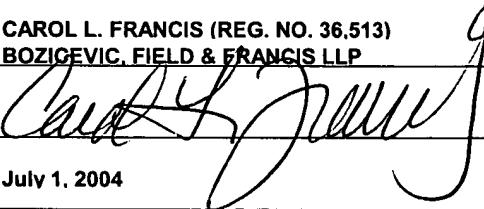
(to be used for all correspondence after initial filing)

		Application Number	09/665,493
		Filing Date	September 20, 2000
		First Named Inventor	MANNING JR., WILLIAM C.
		Group Art Unit	1632
		Examiner Name	TON, THAIAN N.
Total Number of Pages in This Submission		Attorney Docket Number	BERK-010CIP

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Notice of Appeal + Duplicate (2 pgs.) 2) Return Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

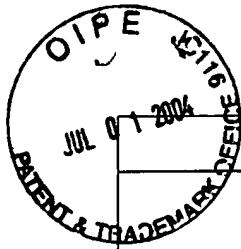
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)	CAROL L. FRANCIS (REG. NO. 36,513) BOZICEVIC, FIELD & FRANCIS LLP	
Signature		
Date	July 1, 2004	

EXPRESS MAIL LABEL NO. EV333997176US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



7-6-04

AF/1632 #
File

EXPRESS MAIL LABEL NO.: EV333997176US

**NOTICE OF APPEAL
FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS**

Customer Number	24353
Application Number	09/665,493
Confirmation Number	1563
Filing Date	September 20, 2000
First Named Inventor	William C. Manning Jr.
Examiner Name	FThaian N. Ton
Group Art Unit	1632
Attorney Docket	BERK-010CIP

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated, March 4, 2004 finally rejecting claims 17-22 and 26-29.

The fee for this Notice of Appeal is (37 C.F.R. § 1.17(b)): \$ 330.00

Applicant claims small entity status. See 37 C.F.R. § 1.27.

Therefore, the fee shown above is reduced by ½, and the resulting fee is: \$ 165.00

A petition for an extension of time under 37 C.F.R. § 1.136(a) from

June 4, 2004 to July 4, 2004 is requested.

The total extension fee is: \$ 55.00

Total amount to be charged to Deposit Account 50-0815: \$ 220.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this sheet is enclosed.

I am the: applicant/inventor

assignee of record of the entire interest.
See 37CFR 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed.

attorney or agent of record

attorney or agent acting under 37 CFR 1.34(a)
Registration number if acting under 37 C.F.R. § 1.34(a). _____

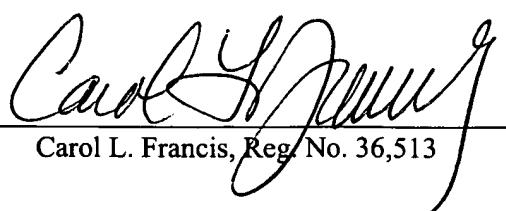
07/08/2004 RMEBRAHT 00000004 500815 09665493

02 FC:2251 55.00 DA

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

09665493

Date: July 1, 2004
BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

By: 
Carol L. Francis, Reg. No. 36,513

07/08/2004 RMEBRAHT 00000004 500815
165.00 DA
01 FC:2401